

COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor(s), I/we hereby declare that:

My/our residence, post office address, and citizenship are as stated below next to my/our name(s):

I/we believe I/we am/are the original, first, and sole inventor (if only one name is listed below) or an original, first, and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled A Combined Rapid Anti-Microbial Susceptibility Assay and Microorganism Identification System.

the specification of which; (check one)

☐ is attached hereto.

☒ was filed on April 20, 2000  
as Application Serial No. 09/553,223  
and was amended on \_\_\_\_\_ (if applicable).

I/we hereby state that I/we have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I/we acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, § 1.56(a).

I/we hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application of patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

			<u>Priority Claimed</u>	
			Yes	No
_____ (Number)	_____ (Country)	_____ (Day/Month/Year Filed)	<input type="checkbox"/>	<input type="checkbox"/>
_____ (Number)	_____ (Country)	_____ (Day/Month/Year Filed)	<input type="checkbox"/>	<input type="checkbox"/>
_____ (Number)	_____ (Country)	_____ (Day/Month/Year Filed)	<input type="checkbox"/>	<input type="checkbox"/>

I/we hereby claim the priority benefit under Title 35, United States Code §120, of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I/we acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a), which is material to the examination of this application and which occurred between the filing date of the prior application and the national or PCT international filing date of this application:



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Prior U.S. Application(s)

         no such applications filed.  
  X   such provisional applications identified as follows:

			Priority Claimed	
			Yes	No
<u>60/131,829</u> (Application Serial No.)	<u>4/29/99</u> (Filing Date)	<u>Abandoned</u> (Status)	[ X ]	[   ]
<u>60/137,819</u> (Application Serial No.)	<u>5/27/99</u> (Filing Date)	<u>Abandoned</u> (Status)	[ X ]	[   ]
<u>                    </u> (Application Serial No.)	<u>                    </u> (Filing Date)	<u>                    </u> (Status)	[ X ]	[   ]

I/we hereby declare that: as to any claimed subject matter of this application which is common to my/our earlier United States or foreign application(s), if any, which I/we have identified above and claimed the benefit of priority thereof, I/we do not believe that the same was ever known or used in the United States before my/our invention thereof or patented or described in any printed publication in any country before my/our invention thereof or more than one year prior to the first of said earlier application(s), or in public use or on sale in the United States more than one year prior to the first of said earlier application(s), and that the said common subject matter has not been patented or made the subject of an inventor's certificate before the date of the first of said earlier U.S. application(s) in any country foreign to the United States on an application, filed by me/us or my/our legal representatives or assigns more than twelve months (six months if the present application is a Design patent application) prior to the first of said earlier U.S. application(s), if any; and that, as to any claimed subject matter of this application which is not common to said earlier application(s), if any, I/we do not know and do not believe that the same was ever known or used in the United States before my/our invention thereof or patented or described in any printed publication in any country before my/our invention thereof or more than one year prior to the date of this application, or in public use or on sale in the United States more than one year prior to the date of this application, and that said subject matter has not been patented or made the subject of an inventor's certificate in any country foreign to the United States on an application filed by me/us or my/our legal representative or assigns more than twelve months (six months if the present application is a Design patent application) prior to the date of this application.

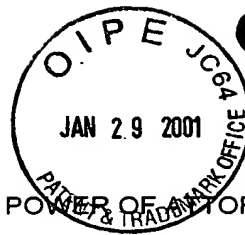
I/we hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: Lois K. Ruzala, Reg No 39,074; Michael P. Bucklo, Reg No 26,444; Louise S. Pearson, Reg No 32,369; Cynthia G. Tymeson, Reg No 34,745; Patrick G. Gattari, Reg No 39,682; and Leland K. Jordan, Reg No 36,560

Address all telephone calls to Lois K. Ruzala at telephone number (847) 267-5364.

Address all correspondence to Lois K. Ruzala, Dade Behring Inc. 1717 Deerfield Road, #778  
Deerfield, Illinois 60015

I/we hereby declare that all statements made herein of my/our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States code and that such willful false statement may jeopardize the validity of the application or any patent issued thereon.

Docket No.: MN-9050



Page 3 of 3

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Full Name of First Inventor Gregory B. Williams	Inventor's Signature	Date
Residence 2829 Emerald Bay Drive, Davis, CA 95916	Citizenship U.S.A.	
Post Office Address same		

Full Name of Second Inventor Daniel M. Nothhaft	Inventor's Signature	Date
Residence 567 Parkridge Drive, Vacaville, CA 95688	Citizenship U.S.A.	
Post Office Address same		

Full Name of Third Inventor Glenn F. Enscoe	Inventor's Signature	Date
Residence 7844 Ivy Hill Way, Antelope, CA 95843	Citizenship U.S.A.	
Post Office Address same		

Full Name of Fourth Inventor Kathleen M. Burtner	Inventor's Signature	Date
Residence 9411 Fox Glen Way, Elk Grove, CA	Citizenship U.S.A.	
Post Office Address same		

Full Name of Fifth Inventor Monte E. Kangas	Inventor's Signature <i>Monte E. Kangas</i>	Date 8/29/2000
Residence 812 Antiquity Drive, Fairfield, CA 94585	Citizenship U.S.A.	
Post Office Address same		

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			PATENT & TRADEMARK OFFICE	
<u>60/131,829</u>	<u>4/29/99</u>	<u>Abandoned</u>	<u>[ X ]</u>	<u>[ ]</u>
(Application Serial No.)	(Filing Date)	(Status)		
<u>60/137,819</u>	<u>5/27/99</u>	<u>Abandoned</u>	<u>[ X ]</u>	<u>[ ]</u>
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<u>                    </u>	<u>                    </u>	<u>                    </u>	<u>[ X ]</u>	<u>[ ]</u>
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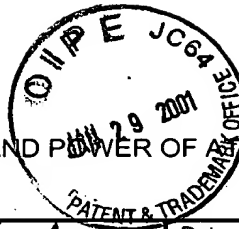
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Full Name of First Inventor Gregory B. Williams	Inventor's Signature <i>Gregory B. Williams</i>	Date 1/10/01
Residence 2829 Emerald Bay Drive, Davis, CA 95916		Citizenship U.S.A.
Post Office Address same		

Full Name of Second Inventor Daniel M. Nothaft	Inventor's Signature <i>Daniel M. Nothaft</i>	Date 1/10/01
Residence 567 Parkridge Drive, Vacaville, CA 95688		Citizenship U.S.A.
Post Office Address same		

Full Name of Third Inventor Glenn F. Enscoe	Inventor's Signature <i>Glenn F. Enscoe</i>	Date 1/10/01
Residence 7844 Ivy Hill Way, Antelope, CA 95843		Citizenship U.S.A.
Post Office Address same		

Full Name of Fourth Inventor Kathleen M. Burtner <i>N. KB</i>	Inventor's Signature <i>Kathleen M. Burtner</i>	Date 1/10/01
Residence 9411 Fox Glen Way, Elk Grove, CA		Citizenship U.S.A.
Post Office Address same		

Full Name of Fifth Inventor Monte E. Kangas	Inventor's Signature	Date
Residence 812 Antiquity Drive, Fairfield, CA 94585		Citizenship U.S.A.
Post Office Address same		